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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,023	02/20/2004	Terrence J. Campbell	230P183(b)	1676
28264 7590 11/09/2010 BOND, SCHOENECK & KING, PLLC ONE LINCOLN CENTER SYRACUSE, NY 13202-1355				
EXAMINER FACTOL, NICHOLAS C				
ART UNIT 2625		PAPER NUMBER		
NOTIFICATION DATE 11/09/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/784,023

**Applicant(s)**

CAMPBELL ET AL.

**Examiner**

Nicholas C. Pachol

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 09/16/10 have been fully considered but they are not persuasive. In regards to applicant's argument that "Williams does not teach or suggest at least the steps of identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media, determining whether said input byte stream includes said triggering byte string, and suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream," the examiner respectfully disagrees.
2. For the step of "identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media," the examiner relied on column 14, line 60 – column 15, line 11. The applicant alleges that this section does not teach concept of identifying a byte string. The examiner is interrupting a byte string to be any a group of bytes that when read will perform an action relating to the correlation of those bytes. In other words, a command that is comprised of a string of bytes. The purpose of the byte string is to not print a special effect. This section of Williams discusses not printing a coupon on the receipt when a command is read to not print the coupon. The command is comprised of bytes, wherein there is a byte string that will indicate to not print the coupon. This would mean that Williams identifies a byte string that indicates not printing the coupon. There appears to be no difference from what is claimed and the teachings of Williams. Although this section of Williams described maintenance of the controller files, it is used to describe what makes up the

controller files. According to Williams, the coupons are printed based on what is printed. In other words, the decision to print coupons is done at the time of printing the receipt. This is described in column 13, lines 28-47. By printing the coupons in accordance to what is printed on or in conjunction with receipt, then Williams is determining the triggering byte in regards to printing the coupons. Therefore, Williams does teach "identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media."

3. For the step of "determining whether said input byte stream includes said triggering byte string" the examiner relied on column 2, line 26-55. The applicant alleges that Williams does not teach suspending printing via the triggering byte string, but rather enabling the printing of the special effect. This section of Williams shows that when printing the printer is looking for the triggering byte string to perform the necessary actions. According to Williams, the coupons are printed based on what is printed. In other words, the decision to print coupons is done at the time of printing the receipt. This is described in column 13, lines 28-47. By printing the coupons in accordance to what is printed on or in conjunction with receipt, then Williams is determining the triggering byte in regards to printing the coupons. Therefore, Williams does teach "determining whether said input byte stream includes said triggering byte string."

4. For the step of "suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream" the examiner again relied on column 14, line 60 – column 15, line 11. This section of Williams discusses not printing a coupon on the receipt when a command is read to not print the coupon.

The command is comprised of bytes, wherein there is a byte string that will indicate to not print the coupon. This would mean that Williams identifies a byte string that indicates not printing the coupon. There appears to be no difference from what is claimed and the teachings of Williams. Although this section of Williams described maintenance of the controller files, it is used to describe what makes up the controller files. According to Williams, the coupons are printed based on what is printed. In other words, the decision to print coupons is done at the time of printing the receipt. This is described in column 13, lines 28-47. By printing the coupons in accordance to what is printed on or in conjunction with receipt, then Williams is determining the triggering byte in regards to printing the coupons. Therefore, Williams does teach "suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream."

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 5-7 and 9-10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams (US 6,278,979)

Regarding Claim 1, Williams teaches a method of suspending the printing of a special effect on the output media of a computer output device adapted to receive an input byte stream including print data (Column 2, lines 26-40), said method comprising the steps of:

(a) identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media (Column 14, line 60 - Column 15, line 11 and Column 13, lines 28-47);

(b) determining whether said input byte stream includes said triggering byte string (Column 2, lines 26-55 and Column 13, lines 28-47); and

(c) suspending the printing of said special effect in response to determining said triggering byte string is in said input byte stream (Column 14, line 60 - Column 15, line 11 and Column 13, lines 28-47); and

(d) printing said print data on the output media (Column 2, lines 26-40).

Regarding Claim 2, Williams further teaches wherein said computer output device comprises a point-of-sale printer (Column 1, lines 21-31).

Regarding Claim 3, Williams further teaches wherein said output media comprises a receipt (Column 1, lines 15-20).

Regarding Claim 5, Williams further teaches wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo (Column 2, lines 26-40).

Regarding Claim 6, Williams further teaches (e) saving said triggering byte string in memory (Column 14, line 60 - Column 15, line 11);

(f) associating said triggering byte string with a printing function (Column 14, line 60 - Column 15, line 11);

(g) delaying for a fixed number of bytes the normal processing of said input byte stream (Column 14, lines 31-45);

(h) executing said printing function associated with said triggering byte string after determining said triggering byte string is in said input byte stream (Column 14, line 60 - Column 15, line 11); and

(i) optionally removing said triggering byte string from said input byte stream (Column 14, line 60 - Column 15, line 11); and

(j) restoring normal processing of said input byte stream (Column 14, line 60 - Column 15, line 11).

Regarding Claim 7, Williams teaches a method of suspending the printing of a special effect on the output media of a computer output device adapted to receive an input byte stream including print data (Column 2, lines 26-40), said method comprising the steps of:

(a) identifying a triggering byte string to act as a trigger for indicating the suspension of printing of said special effect on said output media (Column 14, line 60 - Column 15, line 11 and Column 13, lines 28-47);

(b) determining whether said input byte stream includes said triggering byte string (Column 2, lines 26-55 and Column 13, lines 28-47); and

(c) suspending the printing of said special effect for a predetermined number of printer operations in response to determining said triggering byte string is in said input byte stream (Column 14, line 31-45 and line 60 - Column 15, line 11 and Column 13, lines 28-47); and

(d) printing said print data on the output media (Column 2, lines 26-40).

Regarding Claim 9, Williams further teaches wherein said computer output device comprises a point-of-sale printer (Column 1, lines 21-31).

Regarding Claim 10, Williams further teaches wherein said output media comprises a receipt (Column 1, lines 15-20).

Regarding Claim 12, Williams further teaches wherein said special effect is a top logo, a watermark, a ribbon logo, or a bottom logo (Column 2, lines 26-40).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



8. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (US 6,278,979) in view of Korst (EP 1,253,511).

Regarding Claim 4, Williams does not teach wherein said triggering byte string is a legacy text string.

Korst does teach wherein said triggering byte string is a legacy text string (Column 8, paragraph 66, wherein by triggering byte string must be a legacy text string if it is used in a legacy printer for the printer to understand the inputs).

Williams and Korst are combinable because they both deal with communicating with a printer.

Therefore it would of been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Williams with the teachings of Korst for the purposes of properly communicating with a legacy device (Korst: Column 8, paragraph 66).

Regarding Claim 11, Williams does not teach wherein said triggering byte string is a legacy text string.

Korst does teach wherein said triggering byte string is a legacy text string (Column 8, paragraph 66, wherein by triggering byte string must be a legacy text string if it is used in a legacy printer for the printer to understand the inputs).

Williams and Korst are combinable because they both deal with communicating with a printer.

Therefore it would of been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Williams with the teachings of Korst for the purposes of properly communicating with a legacy device (Korst: Column 8, paragraph 66).

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (US 6,278,979) in view of Fry (US 6,415,341).

Regarding Claim 8, Williams further teaches the step of identifying a triggering byte string to act as a trigger comprises the steps of: (i) defining a triggering byte string of less than or equal to maximum allowable length (Column 7, lines 20-25);

(ii) storing said triggering byte string in non-volatile storage (Column 14, line 60 - Column 15, line 11);

(iv) ordering said fixed number of byte strings into fast response memory for execution of a match/does not match comparison to said input byte stream Column 11, lines 19-35).

Williams does not teach (iii) managing said non-volatile storage to hold a fixed number of byte strings.

Fry does teach (iii) managing said non-volatile storage to hold a fixed number of byte strings (Column 19, lines 60-64).

Williams and Fry are combinable because they both deal with communicating with a POS printer.

Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Williams with the teachings of Fry to provide a versatile and robust interface device operable to provide seamless compatibility between a POS component and other devices (Fry: Column 2, lines 21-25).

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-Thr, 8:00 a.m.- 4:00 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. C. P./  
Examiner, Art Unit 2625

10/29/10

/Twyler L. Haskins/  
Supervisory Patent Examiner, Art Unit 2625